

The opinion in support of the decision being entered today was *not* written for publication is *not* binding precedent of the Board.

Paper No. 25

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

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**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte Edward J. Petrus

Appeal No. 2003-2002
Application 09/444,660

DECISION ON PETITION

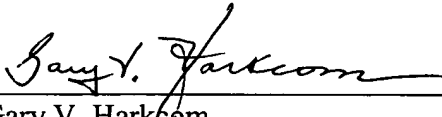
This is in response to the petition filed February 25, 2004 (Paper No. 24), requesting that the above identified application be granted Special Status under M.P.E.P. Section 708.02 IV.

The petition has been considered and found not to comply with all the requirements set forth under M.P.E.P. Section 708.02 IV. Accordingly, the petition is denied.

To be made special based on age, applicant must be 65 years or older. In the instant application, applicant is 64 years of age. Accordingly, the petition is denied.

The above identified application will be assigned on brief in due course.

PETITION DENIED

By: 

Gary V. Harkcom
Acting Chief Administrative Patent Judge
BOARD OF PATENT APPEALS
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703-308-9797

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